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*Attorneys for Defendant Colliers International,
James Yates, Lew Cramer, and Brandon Fugal*

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

TOMAC TRUST, et al.;

Plaintiffs

v.

MILLCREEK COMMERCIAL
PROPERTIES, LLC, et al.;

Defendants

**STIPULATED MOTION TO STAY
DEADLINE TO RESPOND TO FIRST
AMENDED COMPLAINT**

Civil No. 2:24-CV-00774 DBP

Magistrate Judge Dustin B. Pead

Under Rule 7 of the Federal Rules of Civil Procedure and DUCivR 16-2(c), Defendants Colliers International, James Yates, Lew Cramer, and Brandon Fugal (the “Colliers Defendants”) and Plaintiffs stipulated and move the Court to stay Plaintiffs’ claims against the Colliers Defendants, including the time for the Colliers Defendants to respond to the First Amended Complaint, until after completion of the Court-ordered settlement conference. In support of this stipulated motion, Plaintiffs and the Collier Defendants represent as follows:

On December 3, 2024, Plaintiffs and various Defendants filed a Stipulated motion for Judicial Settlement conference,¹ which was amended on December 16, 2024². On January 14, 2025, the Court granted the motion and referred the case to Magistrate Judge Daphne A. Oberg for a judicial settlement conference.³ On January 31, 2025 Magistrate Judge Daphne A. Oberg recused herself⁴ and on February 11, 2025 the case was referred to Magistrate Judge Kohler for the judicial settlement conference⁵. Accordingly, under DUCivR 16-2(c), and to avoid unnecessary legal expenses while the parties complete the judicial settlement conference, Plaintiffs and the Colliers Defendants hereby move the Court to stay the case with respect to Plaintiffs' claims against the Colliers Defendants.

For the foregoing reasons, the Court should grant this stipulated motion and stay this action as to the Colliers Defendants, pending resolution of the judicial settlement conference. A proposed order is being submitted contemporaneously herewith.

DATED: May 30, 2025

LEWIS BRISBOIS BISGAARD & SMITH LLP

By: /s/ Douglas C. Smith
 William B. Helfand
 Douglas C. Smith
 Andrew R. Welch
*Attorneys for Defendants Colliers
 International, James Yates, Lew Cramer, and
 Brandon Fugal*

¹ Dkt. 27.

² Dkt. 36.

³ Dkts. 44-45.

⁴ Dkt. No. 61.

⁵ Dkt. No. 62.

DATED: May 29, 2025

BLACKBURN & STOLL, LLC

By: /s/ Brett N. Anderson (signed with permission)
Brett N. Anderson
Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of May, 2025, I caused a true and correct copy of the foregoing **STIPULATED MOTION TO STAY DEADLINE TO RESPOND TO FIRST AMENDED COMPLAINT** to be electronically filed via the CM/ECF system, which sent notification of such filing to all counsel of record in this case.

/s/ Belle Wade